Canada. Unemployment Insurance Commission
Worker's handbook on unemployment insurance.
1958

CANADA

WORKER'S HANDBOOK ON UNEMPLOYMENT INSURANCE

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TWELFTH EDITION

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AND DISTRIBUTED ABROAD
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Canadian Immigration Offices

in the

United Kingdom and Ireland

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FOREWORD

This booklet is written to help you understand The Unemployment Insurance Act. It answers the questions most often asked. This is **not** The Unemployment Insurance Act and for exact information you should write or visit the nearest office of the National Employment Service in Canada.

The booklet is divided into five main parts—

What is unemployment insurance?

Are you insurable?

What do you pay?

What do you receive?

What the National Employment Service does.

It does not cover unemployment insurance for fishermen. A separate booklet, "Fisherman's Handbook on Unemployment Insurance," is available at National Employment Service offices in Canada.

WHAT IS UNEMPLOYMENT INSURANCE?

Unemployment Insurance is your protection against unemployment. The contributions you pay, with the money received from employers and the Government, go into a common fund from which benefits are paid to those who lose their jobs and who meet the conditions set out in the Act and Regulations. Unemployment Insurance is like fire insurance where many people pay small premiums so that the few who lose their property will receive compensation. It is not a savings account. The premium pays for protection during the term of the policy and, whether or not there has been a loss, there is no refund of the amount paid in.

AM I INSURABLE?

1. **Am I insurable?**

   Unless you are employed in one of the non-insurable employments listed below, you are **insurable** if you are employed in Canada in wage-earning employment, no matter how old you are or how you are paid, if your earnings do not exceed $4,800 in a year. Even if they exceed that amount you are still insurable if you are paid at so much per hour, per day or by the piece, or if you are employed in fishing, or if you are fully qualified to remain insurable by paying both your own and your employer's share of the contributions (see 14 below).

List of Non-insurable Employments

(1) Employment in agriculture.

NOTE: Skilled tradesmen are insured when employed on farms in their own trades for longer than one week. Certain parts of agriculture are insurable, unless they are carried out as an incidental part of other farming operations. They are employment in establishments engaged in egg-grading, in the breeding, raising and marketing of poultry or in the breeding and raising of horses.

(2) Casual employment as a firefighter in forestry for not more than 10 days in any period of 30 days.

NOTE: Other forestry workers are insurable.

(3) Employment in hunting, trapping, and certain employments in fishing.

(4) Employment in a hospital not carried on for gain or in a charitable institution, if the person is a clergyman or member of a religious order, or is employed as a doctor, interne, pharmacist, nurse (including student or probationer) or therapist.

NOTE: Members of provincial or municipal police forces may be insured with the consent of the employer and the concurrence of the Commission.

(6) Employment in which you are employed and paid for playing any game.

(7) Employment as a private duty nurse; as a teacher in a school, college, university, institute or in a private capacity.

(8) Employment in domestic service (except in a business carried on for gain or in a club).

(9) Employment by your husband or wife.

(10) Employment for which no wages or other money payment is made, where you are the child of or are maintained by your employer.

(11) Employment by a corporation of which you own more than half the voting stock or where you are a director and are employed as an officer. (This does not apply to persons employed in fishing.)

(12) Employment as an agent paid by commission, but only where the employee is mainly dependent for his livelihood on earnings from some other occupation, or where the agent has more than one employer and is dependent on no one employer for his main source of livelihood.

(13) Employment of a casual nature other than employment for the purpose of the employer's trade or business (e.g., a man employed by a grocer to paint the grocer's home for not more than six days in a period of 30 days).

(14) Employment where earnings exceed $4,800 a year, unless the rate is by the hour, day, or at a piece rate, or if you are employed in fishing, in which case you are insured regardless of your total earnings.

NOTE: If you are not insured because of this provision but have paid 30 weekly contributions in the past two years you may elect to remain insured **but this must be done within six months after you have ceased to be insurable.**

(15) Employment in the public service of a province, unless the provincial government has consented to insure you.

(16) Employment in the public service of Canada, or by a municipal authority, where the employment is certified to the satisfaction of the Commission to be permanent employment. (This exception does not apply to employment by public utilities or by designated Crown Corporations).

(17) Employment paid by commission as a real-estate salesman or securities salesman or as an insurance agent.

(18) Employment as a truck driver where you own and use your truck in your employment.

(19) Certain classes of seasonal, temporary and part-time employments specified in the Regulations of the Commission. Consult the Commission's local office if you think your employment is not insurable on this account.

2. Is unemployment insurance compulsory?

Yes. The reason for this is to spread the cost among as many workers as possible. In this way, contributions can be small without making benefit rates unreasonably low.

3. If I work part-time, am I insurable?

Yes, but if you are not ordinarily employed in insurable employment, you may claim exception by lodging a declaration to this effect with your employer in certain employments specified in the Regulations of the Commission. These include employment for not more than 24 hours a week, employment in food canning and processing, and several others. Consult your local office.

4. How do I become insured?

When you enter insurable employment for the first time you must be registered with the Commission and must get an insurance book from the local office of the Commission. You will receive an identification card certifying that you have been registered and showing **the insurance number allotted to you for life. Your insurance number is the only means of identification should you become a**

claimant for benefit. This card is therefore valuable. Keep it. Mention your insurance number every time you write the Commission.

5. **Who keeps my insurance book?**

Your employer keeps it while you are working for him because it is up to him to record your contributions each pay period. **Hand your insurance book to your employer when you begin working for him.** If you can't get your book tell your employer your insurance number. **Keep the book yourself when you are not working.**

WHAT DO I PAY?

6. **What contributions are made and how much do I pay?**

The following table shows the weekly contributions to be made by you and your employer. Your own contribution is deducted from your wages.

Earnings in a Week	*Weekly Contribution*	*Employee Deduction*
Less than $9.00	$ .16 (1)	$ .08
$ 9.00 to $14.99	.32	.16
15.00 " 20.99	.48	.24
21.00 " 26.99	.60	.30
27.00 " 32.99	.72	.36
33.00 " 38.99	.84	.42
39.00 " 44.99	.96	.48
45.00 " 50.99	1.04	.52
51.00 " 56.99	1.12	.56
57.00 and over	1.20	.60

(1) One-half of a 32-cent stamp.

7. **How are contributions paid and recorded?**

Your employer buys unemployment insurance stamps or meter credits through the post office and places them in your insurance book. This is a record of the joint contributions made by him as employer and by you as employee. Some employers with large payrolls record the contributions on a special certificate.

8. **How am I to know what contributions are being recorded in my insurance book?**

You have the right to examine your book or contribution record at a time convenient to your employer, but not oftener than twice a month. **When you leave a job make sure you get your book and look at it to see that the contributions are properly recorded up to and including the week of separation.** If you find that your employer has not put stamps in your book as required, or that stamps have been placed in error in your book, or that the record is wrong, tell the local office. Ask your Union for help if you need it.

9. **Where do the contributions go?**

Contributions (yours and your employer's) are placed in the Unemployment Insurance Fund. To this the Federal Government adds one-fifth of the total amount contributed by employers and employees. The Fund may be used only for the payment of benefit. The Government pays operating costs, such as upkeep of Commission offices and salaries of employees.

10. **If I leave insurable employment permanently, can I get a refund of the contributions I have paid?**

No. As explained before, unemployment insurance is like fire insurance. You pay premiums for protection against fire. If your house does not burn down, you have had the protection and you get no refund of your premiums. In the same way if a man retires from work, or a woman marries and leaves her employment, no refund of unemployment insurance contributions is made. The contributions stay in the Fund and are used to pay the benefit claims of those who lose their jobs and are still looking for work.

11. What should I do if I lose my insurance book?

Write or visit the nearest local office of the Commission, **and tell them your insurance number, your full name and date of birth,** and full particulars of the loss. They will give you a new book bearing the original insurance number shown on your identification card. If you do not know this number, they may have to give you another number, and that means you may lose credit for some of the contributions you have made. **Protect your benefit rights by looking after your insurance book.**

12. What should I do if I have two insurance books in my possession for the same year?

Compare the insurance numbers on them. If they are the same, deposit one book at the nearest local office and obtain a receipt for it. If the insurance numbers are different, take both books to the local office and ask for a correction. It is important that **all** your contributions **are under one number.**

WHAT DO I RECEIVE?

13. What should I do if I am laid off or lose my job?

Go to the nearest local office of the Commission **immediately** and register for a job. If you wish to make a claim for benefit, **get your insurance book from your last employer, see that it is stamped up to and including the last week you worked** and send or take it to the local office. **Fill out an application for benefit,** follow any instructions you receive and give more information if it is needed. **Don't delay filing your claim even if you cannot get your book right away.** The claim takes effect only from the week in which you file it. If you live so far from the nearest local office that the cost of return transportation is more than $2 you may make a claim by **mail. Write to the local office that you wish**

to make a claim for benefit. Do not simply send your insurance book and expect the office to assume that you wish to make a claim. The claim will then usually have effect from the week in which you posted your letter. **If you are a claimant, be sure to report to your local office on the day and at the time when you are told to do so, to prove that you are unemployed. If you are a postal claimant follow carefully all directions received from your local office.**

14. After I apply for benefit, what happens if the Employment Service finds a job for me?

If the job is suitable, you will be expected to take it. If you refuse suitable employment, or fail to apply for it, without good reason, you will probably be disqualified for benefit for a period up to six weeks. You are also expected to look for work yourself while on claim.

15. How do I qualify for benefit?

To qualify for unemployment insurance benefit you must

(*a*) be unemployed for some part of the week claimed for and, in addition, be ready, willing and able to work and unable to obtain suitable employment for each day of such week. (See paragraph 17.)

(*b*) be able to establish a benefit period by having

(i) thirty contribution weeks in the last 104 weeks;

(ii) eight of these contribution weeks in the last 52 weeks or since your last benefit period began, whichever is the shorter period;

moreover, if you are making a new claim less than 104 weeks after the commencement date of your last claim

(iii) at least 24 of the 30 contribution weeks must be in the 52 weeks before this new claim or since the commencement date of your last claim, whichever is the longer period.

NOTE: A contribution week in which earnings were less than nine dollars counts as a half week only.

For a definition of **benefit period** see question 18. You must make a claim as explained under question 13. If you do not ask, you cannot hope to receive, so do not expect a benefit cheque to come to you automatically when you lose your job.

16. **If I have less than the necessary number of contributions during the qualifying periods mentioned in question 15, may these periods be extended?**

If you have been in non-insurable employment, or if you have been in business on your own account, during all or any part of the qualifying periods mentioned in question 15, you should let the local office know, as you may be entitled to an extension of these qualifying periods. Extension of these periods may also be granted for other reasons, such as being totally incapable of work because of sickness or injury or not working because of a stoppage of work due to a labour dispute. In no case, however, will extension be approved with respect to any period during which the claimant received either seasonal or regular benefit.

17. **If I can't qualify for the receipt of unemployment insurance benefit how can I qualify for the receipt of seasonal benefit?**

Seasonal benefit may be paid in the period from the week in which December 1 occurs to the week in which May 15 occurs each

year, the number of weeks paid depending on your contribution and work history. The rate of benefit is the same as for regular benefit. If you haven't enough contributions to entitle you to regular benefit you may receive seasonal benefit as follows:

(1) If you have at least 15 contribution weeks after the Saturday before the preceding March 31st, you may get five weeks' benefit for every six contribution weeks, with a minimum of thirteen weeks, or,

(2) If your previous benefit period has ended after the week in which the preceding 15 May occurred, you may get up to twenty-five weeks' benefit.

Other conditions you must fulfill are the same as those for regular benefit. Our offices check all initial claims made during December, January, February, March, April and early May and if there are not enough contributions shown to entitle the claimant to regular benefit, they treat the claim as one for seasonal benefit.

18. How do I qualify if I become unemployed again?

When you make your first claim, you begin a "benefit period" if you have enough contributions. A benefit period runs for 52 weeks from the week of your claim, or until you use up all your benefit if you do this in less than 52 weeks. If you make a claim or claims during another period of unemployment while your benefit period is still in force, you don't have to fulfill these conditions again. Of course, you must deposit your insurance book, if you have no more benefit to your credit you must again show that you have the contributions set forth in the answer to question 15 before a new benefit period can be established.

19. Why must I have paid these contributions in the periods specified?

This is to show that you normally work in insurable employment and that you have been doing so lately. It would be unfair to insured workers to take money from the Fund for benefit payments to persons who have spent only a short time in insurable employment or who have not had any insurable employment in recent years.

20. What happens if I quit my job or if I am dismissed?

If you leave your job voluntarily without just cause or if you lose your employment because of your own misconduct, you can be disqualified for as long as six weeks. You will receive benefit after the disqualification has ended if you are still not working, and if you continue to report **regularly** to the local office as directed and prove that you are entitled to receive benefit.

21. Can I get benefit if I am unemployed because of a strike or lockout?

No, unless you become employed elsewhere or unless you prove that you and the rest of the workers in your grade or class working at the premises before the work stoppage (1) are not taking any part in the dispute which caused the work stoppage, and (2) are not paying any money to support it, and (3) are not directly interested in the dispute which caused it.

22. After I have fulfilled all the conditions how long do I have to wait before benefit is paid?

We cannot pay benefit at the beginning of a benefit period until the end of a waiting period equivalent to a week of full benefit. When one benefit period ends and a claimant

immediately re-qualifies for benefit, the waiting period may be waived provided certain other conditions are fulfilled.

23. Do I receive benefit for every week I do not work?

No. You will not receive benefit

(1) for the waiting period at the beginning of any benefit period,

(2) for the time that you are not available or that you are otherwise disqualified,

(3) for any week in which you work the full working week.

See also the answer to question 22.

24. Can I be considered unemployed if I work in any week?

If you work less than full time, your weekly earnings are deducted from your benefit, with the exception of a stipulated amount based on your benefit rate and called allowable earnings. (See also question 32).

25. What if I am still receiving wages from my employer?

Wages received from your employer at or after separation affect your benefit only in so far as they exceed the amount of allowable earnings.

26. If I have a pension or some similar private income, am I disqualified for benefit?

No. Income of this sort is not earnings and does not disqualify you from receiving benefit when you are unemployed.

27. Do I get benefit for a holiday?

You are not entitled to benefit in any week if you only unemployed days are Sunday, a recognized holiday of one day, or the day before or the day after such holiday, if your

employer does not require you to work on that day. Benefit is not payable during a longer holiday such as the annual vacation if you receive full wages for the holiday. If you receive less than full wages, these affect your benefit only in so far as they exceed the amount of allowable earnings (see paragraph 32). The value of any vacation stamps with which you have been credited may be counted as wages.

28. Do I get benefit if I lose my job because of illness, injury, or quarantine?

When you make your claim you declare that you are capable of, and available for, work and unable to obtain suitable employment. If you leave your job because of illness, injury, or quarantine, obviously you are not available for work and, therefore, cannot be paid benefit until you become capable of work again.

29. Can I be paid benefit if I fall ill, or I am injured or quarantined while unemployed?

If you have already put in the waiting period and are qualified to actually begin drawing benefit when the illness, injury, or quarantine occurs, your payments are not affected. However, you must furnish proof that you are ill, injured or quarantined, if you are asked to do so.

30. Will benefit be paid to me while I attend a course of instruction or training?

Yes, if you have established a benefit period and if the Commission has **directed** you to attend. You may not be paid benefit while attending a course if you left your employment voluntarily to attend the course or if suitable employment is available for you. Your local office will give you full details about this.

31. Is benefit payable during pregnancy?

Benefit may be paid during the earlier weeks of pregnancy provided the claimant is capable of and available for work and has not left her employment voluntarily because of pregnancy. Benefit is not ordinarily paid during the later weeks of pregnancy or during the time immediately following the birth of a child.

32. How much is my benefit?

The amount of your benefit is based on the average rate of contributions you made in the last 30 weeks falling within 104 weeks immediately before you made your claim. Benefit rates are given in the following table:

Insured Person's Average Weekly Contribution Cents	*Rates of Benefit*		*Allowable Earnings*
	Person without a Dependent	*Person with a Dependent*	
Less than 20	$ 6.00	$ 8.00	$ 2.00
20 and under 27	9.00	12.00	3.00
27 and under 33	11.00	15.00	4.00
33 and under 39	13.00	18.00	5.00
39 and under 45	15.00	21.00	6.00
45 and under 50	17.00	24.00	7.00
50 and under 54	19.00	26.00	9.00
54 and under 58	21.00	28.00	11.00
58 to 60	23.00	30.00	13.00

33. How long is benefit paid to me?

In any one benefit period you may receive in benefit the amount equivalent to one week of full benefit for every two contribution weeks during the last 104 weeks. The maximum is 36 weeks of full benefit, and the minimum 12 weeks.

34. Who may be claimed as dependents?

These are the persons who may be claimed as dependents: your wife, husband or child; or any of your blood relatives down to

nephews and nieces; or relatives by marriage down to brothers and sisters of your spouse, and your step-child or adopted child. To claim a person as a dependent you have to be wholly supporting or mainly supporting that person, provided the dependent lives in Canada or in one of the United States of America with which Canada has a reciprocal agreement.

35. Who decides whether or not I am entitled to benefit?

An insurance officer decides whether your claim for benefit may be allowed. If you are not satisfied with his decision, you may appeal to a board of referees. You must make your appeal within 30 days of the date you receive the decision.

36. What is a board of referees?

A board of referees is made up of one or more members representing insured persons with the same number of members representing employers, and a chairman appointed by the Government. None of these persons is an employee of the Unemployment Insurance Commission.

37. Must I abide by the decision of the board of referees?

Generally, yes, but in certain cases, if you are still dissatisfied you have the right to appeal to the Umpire, who is a Judge of a Superior Court appointed by the Government to hear appeals on unemployment insurance questions. The decision of the Umpire is final.

38. May I go away from home while receiving benefit?

Yes, you may leave for short periods **if you first notify the local office** where you are

claiming benefit; if you can be readily reached if a job becomes available; and are ready and willing to immediately curtail your visit if a job becomes available. Always be sure to let the local office know of any change of address or telephone number, otherwise you may lose benefit.

39. If I move from one district to another, what do I have to do?

If you are moving from one job to another, take your insurance book with you and give it to your new employer. Perhaps you are unemployed and claiming benefit and are moving to a new area in the hope of finding a job. If so, **before you leave** you must tell the local office at which you made your claim what you intend to do. Then, as soon as you arrive at your destination, you must report to the local office there and give the officials all the information they need to transfer your claim to that office.

40. What happens to my right to benefit in the future if I take a job that is not insurable?

See the answer to question 16. Because of the extension of the qualifying periods, most of your contributions will count to establish your benefit rights, if your job in non-insurable employment is temporary.

41. What should I do if I give up my job and am not going back to insurable employment?

Bring or send your insurance book to the nearest local office of the Commission for safekeeping, and ask for a receipt. **Make a record of your insurance number,** and keep it so that when you return to insurable employment, your contributions can be continued under your own number. **Do not get another number;** if you do, you may lose credit for contributions you already have.

42. Does service in the Canadian armed forces affect my benefit?

Yes. If you enlisted between July 5, 1950 and June 30, 1955, and were honourably discharged, the Government will, under certain circumstances, pay your contributions for your period of paid service. The rate paid will be 96 cents per week, and if your period of paid service is over three months you will be entitled to at least 15 weeks of benefit. If you feel you are entitled to contributions or benefit on account of your service, do not fail to give the local office dates of your enlistment and discharge and your regimental number, when you file your claim for benefit.

43. If I was insured in the United States under their unemployment compensation laws before coming to Canada, can I obtain any benefit in Canada?

Consult your local office to see whether you can claim benefit under the law of the state where you were insured. Arrangements have been made between Canada and most of the states for paying benefit to a person who proves that he is unemployed in Canada.

44. What happens if I have been insured in Canada and later go to the United States to work and become unemployed there?

Apply at a local office of the state employment service in the United States. If it is a local office in a state which has an agreement with Canada, you may apply there for benefit based on contributions which you made in Canada. But if you live in a border town or city you should make your claim in person at the nearest Canadian office of the National Employment Service. If you

are only visiting the U.S.A., the U.S. immigration laws do not allow you to accept work there. Therefore, you are not considered to be available for work and cannot draw benefit.

45. Has Canada a similar agreement with Britain or any other country?

No. If problems of distance and the different currencies can be solved such an agreement might be made in the future.

IMPORTANT

It is most important that you carefully consider all statements made by you to the Unemployment Insurance Commission and ensure that they are true. Severe penalties, including prosecution in the criminal courts, or deductions from your future benefit, are provided for making false statements or misrepresentations.

WHAT THE NATIONAL EMPLOYMENT SERVICE DOES

46. Is the Employment Service available to all workers?

Yes. It makes no difference whether you are employed in insurable or non-insurable employment.

47. Can I use its facilities if I am still employed?

Yes. The Employment Service is available to you whether or not you are unemployed. If you are looking for a different kind of work, or want more training in your present line of work, your local office will tell you what openings or training courses are available.

48. What kind of workers can use the Employment Service?

The Employment Service tries to help every class of worker, men and women, including skilled, unskilled and handicapped persons, juveniles, professional men and veterans.

49. How long does my application for employment remain alive without renewal?

If you apply and qualify for unemployment insurance benefit, your application for employment remains alive for the full period during which benefit is payable. Renewal is not necessary in these circumstances. However, if you do not apply for benefit, or fail to qualify, or exhaust your benefit, your application for employment expires in 14 days unless renewed. Therefore, if you wish to renew your application at the end of the first 14 day period, you should contact your local office shortly before the 14th day. This process should be repeated every 14 days as long as you wish the Employment Service to seek employment for you.

50. Where may I obtain additional information?

At the nearest local office of the Commission.

YOUR INSURANCE BOOK

Your insurance book is a valuable document. You should take steps to get it from your employer as soon as you leave your job and take it to your new employer as soon as you begin work.

You have the right to examine your book while it is with your employer at times convenient to your employer and not oftener than twice a month to satisfy yourself that proper contributions are being made.

Although you should not delay making your claim for benefit if you do not have your book (see question 13), remember that failure to deposit the book may delay your claim. Remember, too, that if the failure is due to neglect on your part, you may be disqualified from the receipt of benefit.

8/8/63 MCD